


EV519867391US

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NUMBER <b>GRUE-004</b>
INTERNATIONAL APPLICATION NO. <b>PCT/EP2003/010723</b>	INTERNATIONAL FILING DATE <b>9/26/2003</b>	U.S. APPLICATION NO. (If known, see 37 CFR 1.51) <b>10/532067</b> To Be Assigned
TITLE OF INVENTION <b>RECOMBINANT MVA STRAINS AS POTENTIAL VACCINES AGAINST P. FALCIPARUM MALARIA</b>		PRIORITY DATE CLAIMED <b>October 23, 2002</b>
APPLICANT(S) FOR DO/EO/US <b>SUTTER, GERD BUJARD, HERMANN WESTERFELD, NICOLE JUN, MIAO</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371. 2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input checked="" type="checkbox"/> The US has been elected (Article 31). 5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)): a. <input checked="" type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office(RO/US) 6. <input checked="" type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input checked="" type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)): a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)). <b>Items 11 to 20 below concern document(s) or information included:</b> 11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input checked="" type="checkbox"/> A preliminary amendment. 14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input checked="" type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter <sup>2</sup> and 37 CFR 1.821 - 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4). 20. <input checked="" type="checkbox"/> Other items or information: <b>1) Communication Regarding Substitute Specification (2 pgs.); 2) Marked-up Copy of Specification (22 pgs.); and 3) Replacement Drawings (4 pgs.)</b>		

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
To Be Assigned <b>10/532067</b>		PCT/EP2003/010723		GRUE-004	
21. <input checked="" type="checkbox"/> The following fees are submitted: Basic national fee .....\$300.00				CALCULATIONS      PTO USE ONLY <b>\$ 300.00</b>	
22. <input checked="" type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....\$100.00 All other situations .....\$200.00				<b>\$ 200.00</b>	
23. <input checked="" type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the inter national application to the USPTO as an International Searching Authority .....\$100.00 International Search Report prepared and provided to the office .....\$400.00 All other situations .....\$500.00				<b>\$ 400.00</b>	
<b>TOTAL OF 21, 22 and 23 =</b>				<b>\$ 900.00</b>	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets or paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
- 100 =	/50 =		X \$250.00	\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total Claims	- 20 =		x \$50.00	\$	
Independent Claims	- 3 =		x \$200.00	\$	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$</b>	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.					
<b>SUBTOTAL =</b>				<b>\$</b>	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
<b>TOTAL NATIONAL FEE =</b>				<b>\$</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
<b>TOTAL FEES ENCLOSED =</b>				<b>\$</b>	
				Amount to be refunded:	\$
				Amount to be charged:	\$
a. <input type="checkbox"/> A check in the amount of \$_____ to cover the above fees is enclosed. b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>50-0815</u> in the amount of <u>\$900</u> to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0815</u> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
Bozicevic, Field & Francis, LLP 1900 University Avenue, Suite 200 East Palo Alto, California 94303					
				 SIGNATURE	
				Paula A. Borden NAME	
				42,344 REGISTRATION NUMBER	

<b>EXPRESS MAIL NO. EV519867391US</b>		
<p style="text-align: center;"><b>Communication Regarding Substitute Specification</b></p> <p>Address to:</p> <p>Commissioner for Patents PO Box 1450 Alexandria, CA 22313-1450</p>	Attorney Docket Confirmation No.	GRUE-004 To Be Assigned
	First Named Inventor	SUTTER
	International Application Number	PCT/EP2003/010723
	International Filing Date	September 26, 2003
	Group Art Unit	To Be Assigned
	Examiner Name	To Be Assigned
	Title: RECOMBINANT MVA STRAINS AS POTENTIAL VACCINES AGAINST P. FALCIPARUM MALARIA	

Sir:


Applicants provide herewith a Substitute Specification pursuant to 37 C.F.R. §1.125, including the abstract.

As provided for under 37 C.F.R. §1.125 (b), a Substitute Specification, excluding the claims, is submitted herewith. The Substitute Specification is provided to comply with various matters of form; to delete hyperlinks or other form of browser executable code in the text; and to bring the specification into conformity with the replacement drawings, which have been re-numbered. Accordingly, the Substitute Specification includes no new matter. As provided for under 37 C.F.R. §1.125 (b), a marked-up version of the Substitute Specification, showing all the changes to the English translation of the International Application as filed, is provided herewith. As provided for under 37 C.F.R. §1.125 (c), a Substitute Specification is provided in clean form without markings as to the amended material.

The Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number GRUE-004.

BOZICEVIC, FIELD & FRANCIS LLP

Date: Apr. 19, 2005

By:   
Paula A. Borden  
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP  
1900 University Avenue, Suite 200  
East Palo Alto, CA 94303  
Telephone: (650) 327-3400  
Facsimile: (650) 327-3231